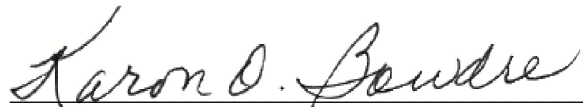


report and recommendation, the plaintiff's alleged physical injuries are described in vague and conclusory language, and are entirely too broad to objectively describe serious medical conditions upon which constitutional liability can be imposed upon medical personnel. Nothing in the plaintiff's objections, or his motion to amend, shows that the plaintiff has been denied necessary medical care, or that defendants have acted with deliberate indifference. The plaintiff has simply failed to provide specific facts which present a plausible constitutional claim against the defendants. *Ashcroft v. Iqbal*, 556 U.S. ___, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009).

Accordingly, having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and the recommendation is ACCEPTED. Therefore, the federal claims in this action are due to be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). Any state law claims asserted in the complaint are due to be dismissed without prejudice, pursuant to 28 U.S.C. § 1367(c)(3). A Final Judgment will be entered.

DATED this 16th day of December 2010.


KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE